

OFFICIAL GAZETTE



GOVERNMENT OF GOA

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

7-36/97/LA

The Goa (Institute Menezes Braganza) (Supplemental Provisions) Act, 1997 (Goa Act 6 of 1998), which has been passed by the Legislative Assembly of Goa on 15-12-1997 and assented to by the Governor of Goa on 19-1-1998, is hereby published for general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 21st January, 1998.

The Goa (Institute Menezes Braganza)
(Supplemental Provisions) Act, 1997

(Goa Act 6 of 1998) [19-1-1998]

AN

ACT

to provide for supplemental provisions consequent to vesting of assets and liabilities of the Institute Vasco-da-Gama, now known as the Institute Menezes Braganza, in the Government, in pursuance of the Goa (Portaria Provincial No. 332 dated 24th November, 1871) Repeal Act, 1997 (Act No. 15 of 1997).

BE it enacted by the Legislative Assembly of Goa in the Forty-eighth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa (Institute Menezes Braganza) (Supplemental Provisions) Act, 1997.

(2) It shall be deemed to have come into force on the 17th day of April, 1997.

2. *The objects of this Act are to provide for—*

(a) dissolution of the Managing Committee, if any, of the Institute Vasco-da-Gama, now known as Institute Menezes Braganza (hereinafter referred to as the "said Institute");

(b) adjudication of claims, if any, and payment of compensation for any claims, from any person, who had prior to the 17th day of April, 1997 (hereinafter called as the "appointed day"), any interest in any of the assets of the said Institute;

(c) handing over of the assets, books of records and whatever properties of the said Institute, by a person presently holding such properties or records in his custody;

(d) repeal of all laws and orders whichever in existence on the appointed day governing or in any manner concerning the affairs of the said Institute.

3. *Dissolution of Managing Committee.*— On and from the appointed day, the Managing Committee or any body or association of persons, whether duly constituted or not, which had any claim for managing the affairs of the said Institute by virtue of any provisions of law or otherwise, is hereby dissolved

4. *Handing over of assets and records.*— (1) Any person who is in possession of any records or books of account or other documents or assets of the said Institute shall, within fifteen days from the date of a public notice issued by such officer of the Government as may be appointed for the purpose hand over to such officer at the place named in such notice all records or books of account or other documents or assets of the said Institute which are in his possession.

(2) Any person contravening the provisions of sub-section (1) shall, on conviction, be punished with simple imprisonment of one month or with fine which may extend to ten thousand rupees or with both.

5. *Adjudication of claims and liabilities.*— (1) Any person who had any claim whatsoever to any property or other asset of the said Institute on the appointed day, may make an application to such officer as may be appointed by the Government (hereinafter called the 'adjudicating Officer'), for determination of his claim and the compensation payable therefor by the Government.

(2) Any person to whom any sum of money was due by the said Institute on the appointed day, may make an application to the adjudicating Officer referred to in sub-section (1) for settlement of his dues.

(3) The adjudicating Officer, on receipt of any application, either under sub-section (1) or sub-section (2) shall, after duly verifying the claim made by the applicant and after satisfying himself after such inquiry as he deems fit, that the person claiming had a right to make the claim, determine the amount payable by the Government as compensation to such person.

(4) Any person aggrieved by an order of the adjudicating Officer under this section, may appeal to the Administrative Tribunal constituted under the Goa Administrative Tribunal Act, 1965 (Act 6 of 1965) and the decision of the Administrative Tribunal in appeal shall be final and binding on the parties.

6. *Repeal.*— Any law or order or instrument having the force of law relating to or regulating the affairs of the said Institute, is hereby repealed.

7. *Effect of Act.*— The provisions of this Act shall be supplemental to and not in derogation of the provisions of the Goa (Portaria Provincial No. 332 dated 24th November, 1871) Repeal Act, 1997 (Act No. 15 of 1997).

Secretariat Annexe,
Panaji,
Dated: 21-1-1998

B. S. SUBBANNA,
Secretary to the Government of Goa
Law Department (Legal Affairs)

Notification

7-35-97/LA

The Goa Town and Country Planning (Amendment) Act, 1997 (Goa Act 5 of 1998), which has been passed by the Legislative Assembly of Goa on 15-12-1997 and assented to by the Governor of Goa on 19-1-1998, is hereby published for general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 21st January, 1998.

The Goa Town and Country Planning (Amendment) Act,
1997

(Goa Act 5 of 1998) [19-1-1998]

AN

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further to amend the Goa, Daman and Diu Town and Country Planning Act, 1974.

BE it enacted by the Legislative Assembly of Goa in the Forty-eighth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Town and Country Planning (Amendment) Act, 1997.

(2) It shall be deemed to have come into force with effect from 22-9-1997.

2. *Amendment of section 51.*— In section 51 of the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975),—

(i) in sub-section (1), —

- (a) for the expression "ten thousand rupees", the expression "One lakh rupees" shall be substituted;
- (b) for the expression "five hundred rupees for every day", the expression "ten thousand rupees for every day" shall be substituted;

(ii) in sub-section (2), —

- (a) for the expression "five thousand rupees", the expression "ten thousand rupees" shall be substituted;
- (b) for the expression "two hundred and fifty", the expression "five hundred" shall be substituted;

(iii) after sub-section (2), the following shall be inserted, namely:—

"(3) An offence under this section shall be cognizable."

3. *Repeal and saving.*— (1) The Goa Town and Country Planning (Amendment) Ordinance, 1997 (Ordinance No. 2 of 1997), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of this Act.

Secretariat Annexe,
Panaji,
Dated: 21-1-1998

B. S. SUBBANNA,
Secretary to the Government of Goa
Law Department (Legal Affairs)

Notification

7-34-97/LA

The Goa Mundkars (Protection from Eviction) (Amendment) Act, 1997 (Goa Act 4 of 1998), which has been passed by the Legislative Assembly of Goa on 15-12-1997 and assented to by the Governor of Goa on 19-1-1998, is hereby published for general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 21st January, 1998.

The Goa Mundkars (Protection from Eviction) (Amendment) Act 1997.

(Goa Act 4 of 1998) [19-1-1998]

AN

ACT

further to amend the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (Act No. 1 of 1976).

BE it enacted by the Legislative Assembly of Goa in the Forty-eighth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Mundkars (Protection from Eviction) (Amendment) Act, 1997.

(2) It shall be deemed to have come into force on the appointed date.

2. *Amendment of section 29.*— In sub-section (4) of section 29 of the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (Act No. 1 of 1976), the following "Explanation" shall be added at the end, namely:—

"*Explanation* — The expression 'revenue village' includes villages in the municipal areas."

3. *Repeal and saving.*— (1) The Goa Mundkars (Protection from Eviction) (Amendment) Ordinance, 1997 (Ordinance No. 3 of 1997), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of this Act.

Secretariat Annexe,
Panaji,
Dated: 21-1-1998

B. S. SUBBANNA,
Secretary to the Government of Goa
Law Department (Legal Affairs)